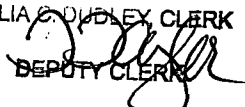


APR 06 2015

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

ABDUL-HAMZA WALI MUHAMMAD,	)	CASE NO. 7:14CV00529
	)	
Plaintiff,	)	
	)	
v.	)	OPINION AND ORDER
	)	
	)	
COMMONWEALTH OF VIRGINIA,	)	
<u>ET AL.</u> ,	)	By: Glen E. Conrad
	)	Chief United States District Judge
Defendant(s).	)	

Abdul-Hamaz Wali Muhammad, a Virginia inmate proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983. As amended by order entered October 24, 2014, his complaint alleges the following claims against prison officials at Red Onion State Prison: (1) Muhammad was misclassified on May 21, 2014; (2) Muhammad is not receiving a diet consistent with his religious beliefs; (3) Muhammad did not receive a feast meal at the end of Ramadan 2014; (4) a disciplinary hearing officer wrongfully found Muhammad guilty of fighting after Inmate Bratcher attacked him on January 5, 2014; (5) officers failed to intervene to protect Muhammad during the January 5 attack; and (6) a disciplinary hearing officer denied Muhammad due process on July 23, 2014, on a charge that Muhammad urinated in a classroom. Muhammad is temporarily confined at Sussex I State Prison, where he was transferred for medical reasons. He now moves for a temporary restraining order directing unidentified prison officials to take unspecified actions for unspecified reasons. His motion must be summarily denied.

Temporary restraining orders, governed by Rule 65(b) of the Federal Rule of Civil Procedure, are issued only rarely, when the movant proves that he will suffer irreparable injury if relief is not granted before the adverse party could be notified and have an opportunity to

respond. Fed. R. Civ. P. 65(b). Muhammad has made no such showing. First, because he is not currently in the custody of the defendants, who are Red Onion officials, the court cannot order the defendants to protect him. Second, he does not state any facts showing he will suffer irreparable harm in the absence of the extraordinary relief he has requested. Third, he fails to show that his current concerns about his safety are based on anything more than speculation or that they are related to any claim pending in this action.

For the stated reasons, it is hereby

**ADJUDGED AND ORDERED**

that Muhammad's motion for temporary restraining order (ECF No. 105) is **DENIED**. The Clerk is directed to send copies of this memorandum opinion and accompanying order to plaintiff and counsel of record for the defendants.

ENTER: This 6<sup>th</sup> day of April, 2015.



---

Chief United States District Judge